

REMARKS

Claims 42-60 are pending. Claims 42-44, 46-52, 54-55, and 57-60 are amended herein. No new matter is added as a result of the amendments made herein. Support for the claim amendments can be found at least on page 11, lines 7-15, of the instant application.

35 U.S.C. §102 Rejections

According to the Office Action, claims 42, 49-50, 53, and 59-60 are rejected under 35 U.S.C. 102(e) as being unpatentable over Jacobs et al. (U.S. Patent No. 6,279,056 B1). Applicant has reviewed the Jacobs et al. reference, and respectfully submits that the embodiments of the claimed invention set forth in claims 42, 49-50, 53, and 59-60 are neither anticipated nor rendered obvious by Jacobs et al.

The Examiner is directed to independent claims 42 and 59. Jacobs et al. does not teach or suggest each of the limitations of independent claims 42 and 59. In particular, Jacobs et al. does not teach or suggest a controller for enabling a plurality of audio files to be played on a computer subsystem of a computer system if said computer system is in an inactive state, which includes "a switch having a first state and a second state, wherein said switch in said first state decouples said controller from said computer subsystem and from an audio integrated circuit (IC) coupled to said computer subsystem, and wherein said switch in said second state couples said controller to said computer subsystem in response to said computer system being in said inactive state" as recited in independent claim 42 (from which claims 49-50 and 53 depend; emphases added). For example, according to Jacobs et al., the audio chip 34 appears to be always connected to the controller (e.g., the firmware cited in the Office Action).

Claim 59 recites limitations similar to those of claim 42. Thus, by similar rationale, Jacobs et al. also does not teach or suggest a method for playing a plurality of audio files in a computer system comprising a computer subsystem, which includes "decoupling an audio controller from said computer subsystem and from an audio IC coupled to said computer subsystem if said computer system is in an active state" as recited in independent claim 59 (from which claim 60 depends).

Consequently, Applicant respectfully submits that the embodiments of the claimed invention set forth in claims 42, 49-50, 53, and 59-60 are not taught or anticipated by Jacobs et al. Therefore, Applicant respectfully submits that the basis for rejecting claims 42, 49-50, 53, and 59-60 under 35 U.S.C. §102(e) is traversed.

35 U.S.C. §103 Rejections

According to the Office Action, claims 43-48, 51-52 and 54-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobs et al. (U.S. Patent No. 6,279,056 B1) in view of Lee (U.S. Patent No. 6,292,440 B1). Applicant has reviewed the Jacobs et al. reference and Lee reference, and respectfully submits that the embodiments of the claimed invention set forth in claims 43-48, 51-52 and 54-58 are neither anticipated nor rendered obvious by Jacobs et al in view of Lee.

A shortcoming of this combination is that the primary reference Jacobs et al. does not teach or suggest each of the limitations of independent claims 42 and 54, and the secondary reference Lee fails to teach or suggest a modification of Jacobs et al. that would remedy the deficiencies of Jacobs et al.

In particular, as presented above, the primary reference Jacobs et al. does not teach or anticipate each and every limitation set forth in independent claim 42 (from which claims 43-48 and 51-52 depend). Claim 54 recites limitations similar to those of claim 42. Thus, by similar rationale, the primary reference Jacobs et al. also does not teach or suggest a controller for enabling a plurality of audio files to be played on a computer subsystem of a computer system if said computer system is in an inactive state, which includes “a switch having a first state and a second state, wherein said switch in said first state decouples said controller from said computer subsystem and from an audio integrated circuit (IC) coupled to said computer subsystem, and wherein said switch in said second stage couples said controller to said computer subsystem in response to said computer system being in said inactive state” as recited in independent claim 54 (from which claims 55-58 depend).

Furthermore, the second reference Lee does not teach or suggest each of the limitations of independent claims 42 and 54. In particular, Lee does not teach or suggest a controller for enabling a plurality of audio files to be played on a computer subsystem of a computer system if said computer system is in an inactive state, which includes “a switch having a first state and a second state, wherein said switch in said first state decouples said controller from said computer subsystem and from an audio integrated circuit (IC) coupled to said computer subsystem, and wherein said switch in said second state couples said controller to said computer subsystem in response to said computer system being in said inactive state” as recited in independent claim 42 (from which claims 43-48 and 51-52 depend) and also as recited in independent claim 54 (from which claims 55-58 depend).

Consequently, Applicant respectfully submits that the embodiments of the

claimed invention set forth in claims 43-48, 51-52 and 54-58 are not taught or anticipated by Jacobs et al. in view of Lee. Therefore, Applicant respectfully submits that the basis for rejecting claims 43-48, 51-52 and 54-58 under 35 U.S.C. §103(a) is traversed.

Conclusions

In view of the foregoing amendments and remarks, the Applicant respectfully submits that the pending claims are in condition for allowance. The Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present application.

Respectfully submitted,

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Dated: 10/2, 2007



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